



DOUGLAS A. DUCEY
GOVERNOR

STATE OF ARIZONA
OFFICE OF THE GOVERNOR

EXECUTIVE OFFICE

April 11, 2018

The Honorable Michele Reagan
Secretary of State
1700 W. Washington, 7th Floor
Phoenix, AZ 85007

Dear Secretary Reagan:

I am transmitting to you the following bills from the Fifty-third Legislature, 2nd Regular Session, which I signed on April 11, 2018:

HB 2006 minimum age; marriage (Ugenti-Rita)
HB 2042 insurance coverage; telemedicine; urology (Carter)
HB 2047 workers' compensation; employee definition; LLCs (Livingston)
HB 2152 fingerprinting; joint powers authority (John)
HB 2154 personal information; data security breaches (Shope)
HB 2184 secretary of state; counties; rulemaking (Coleman)
HB 2216 schools; dropout recovery programs; report (Leach)
HB 2238 administrative decisions; review; scope (Farnsworth, E.)
HB 2244 dangerous crimes; children; fictitious age (Farnsworth, E.)
HB 2305 vehicle dealers; franchise regulations (Campbell)
HB 2323 schools; inhalers; contracted nurses (Carter)
HB 2342 off-highway vehicles; definition; user indicia (John)
HB 2464 sale of eggs; expiration date (Norgaard)
SB 1041 residency restrictions; sex offenders; victims (Kavanagh)
SB 1281 street lighting improvement districts; consolidation (Kavanagh)
SB 1355 border security trust fund; repeal (Griffin)
SB 1382 TPT; online lodging marketplace; registration (Kavanagh)
SB 1386 high-tech tax fraud (Farnsworth, D.)
SB 1395 temporary custody without court order (Barto)
SB 1421 environmental quality; amendments (Griffin)
SB 1436 prohibition; criminal history; occupational regulation (Burgess)
SB 1465 sober living homes; certification (Brophy McGee)

Sincerely,

A handwritten signature in black ink, reading "Douglas A. Ducey". The signature is fluid and cursive, with the first name "Douglas" being the most prominent.

Douglas A. Ducey
Governor
State of Arizona

cc: Senate Secretary
Chief Clerk of the House of Representatives
Arizona News Service

Senate Engrossed House Bill

FILED

MICHELE REAGAN

SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-third Legislature
Second Regular Session
2018

CHAPTER 185

HOUSE BILL 2464

AN ACT

AMENDING SECTION 3-701, ARIZONA REVISED STATUTES; RELATING TO EGGS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 3-701, Arizona Revised Statutes, is amended to read:

3-701. Definitions

In this article, unless the context otherwise requires:

1. "Agent" includes a bailee, broker, commission merchant, factor, auctioneer, solicitor, ~~OR~~ consignee and any other person acting ~~upon~~ ON the express or implied authority of another person.

2. "Associate director" means the associate director of the division.

3. "Candling" means the visual examination of eggs to establish their quality by the use of transmitted light to determine the cleanliness and soundness of the shell, the size and condition of the aircell and the condition of the yolk, white and germ.

4. "Carton" means AN egg ~~cartons~~ CARTON as used in commercial practice in the United States.

5. "Case" means A standard thirty-dozen egg ~~cases~~ CASE as used in commercial practice in the United States.

6. "Consumer" means a person who buys eggs for use as food and not for resale in any form.

7. "Container" means any box, one-half case, basket, flat or other receptacle, excluding a carton and a case.

8. "Dealer" means any person who contracts FOR or obtains from the producer, or any producer-dealer, dealer or manufacturer, possession or control of any eggs or egg products for the purpose of candling, grading, selling, peddling, distributing, dealing in or trading in eggs or egg products for resale to an egg dealer within this state, producer-dealer, manufacturer, retailer or consumer for human consumption within this state.

9. "Deceptive" means any arrangement of the contents of any case, container, subcontainer, lot, load or display in which the eggs in the outer layer or in any portion exposed to view are in grade, size, condition or any other respect so superior to those in the interior or unexposed portion as to materially misrepresent the contents or any part of the contents as to size, grade, condition or any other respects.

10. "Division" means the animal services division of the Arizona department of agriculture.

11. "Egg products":

(a) Means eggs THAT ARE removed from the shell in a liquid, frozen, dried or freeze-dried state. ~~The product~~

(b) May consist of whole eggs, yolks, whites, ~~or~~ any blend of yolk and white, with or without additives, if eggs are the main ingredient.

12. "Eggs" means eggs THAT ARE in the shell AND THAT ARE from chickens, turkeys, ducks, geese or any other species of fowl.

1 13. "Expiration date" means:

2 (a) FOR EGGS THAT ARE MARKED GRADE AA, the words "sell by" or "buy
3 thru" followed by a date, including the month and day, that is not more
4 than twenty-four days after the eggs were candled and ~~that~~ includes the
5 date the eggs were candled.

6 (b) FOR EGGS THAT ARE MARKED GRADE A, THE WORDS "BEST BY" OR "USE
7 BY" FOLLOWED BY A DATE, INCLUDING THE MONTH AND DAY, THAT IS NOT MORE THAN
8 FORTY-FIVE DAYS AFTER THE EGGS WERE CANDLED AND INCLUDES THE DATE THE EGGS
9 WERE CANDLED.

10 14. "Grade" means classified as to quality and applies to a dozen,
11 case, lot or load of eggs.

12 15. "Half case" means a fifteen-dozen container or one-half
13 standard thirty-dozen egg case as used in commercial practice in the
14 United States.

15 16. "Inspector" means an egg inspector WHO IS appointed or assigned
16 pursuant to section 3-709.

17 17. "Manufacturer" means a person THAT IS engaged in the business
18 of operating or controlling the operation of one or more breaking plants
19 producing liquid eggs, dried eggs, frozen eggs or other egg products for
20 human consumption.

21 18. "Marked" means plainly, legibly and conspicuously labeled,
22 stamped, stenciled, printed, typed, lettered or branded.

23 19. "Mislabel" means the placing or presence of any false,
24 deceptive or misleading mark, term, statement, design, device, inscription
25 or other designation ~~upon~~ ON eggs or ~~upon~~ ON a carton, container or
26 subcontainer of eggs, or ~~upon~~ ON the label or lining or wrapper thereof,
27 or ~~upon~~ ON the outward end of the case, or ~~upon~~ ON a placard or sign used
28 in connection therewith, or in connection with any display having
29 reference to eggs.

30 20. "Nest run eggs" means eggs that are packed as they come from
31 the production facilities without having been washed, sized or candled for
32 quality, regardless of whether some undergrades have been removed.

33 21. "Person" includes an individual, household, firm, corporation,
34 company or association.

35 22. "Processed" means that the shell has been treated with oil or
36 another preservative preparation.

37 23. "Producer" means a person THAT IS engaged in the business of
38 operating or controlling the operation of one or more ranches producing
39 eggs within this state.

40 24. "Producer-dealer" means a person THAT IS engaged in the
41 business of operating or controlling the operation of one or more egg
42 ranches producing eggs within the state, and ~~who~~ THAT, while in possession
43 or control of any additional eggs other than the person's own production,
44 candles, grades, sells, peddles, distributes, deals in or trades in eggs
45 for resale to dealers, producer-dealers, manufacturers or retailers.

1 25. "Quality" means the inherent properties of any product ~~which~~
2 THAT determine its relative degree of excellence.

3 26. "Retailer" means a person ~~who~~ THAT buys candled and graded eggs
4 or egg products from a producer, licensed manufacturer, licensed
5 producer-dealer or licensed dealer for resale to a consumer only, or ~~who~~
6 THAT buys egg products to use in the preparation of other consumer foods
7 for resale.

8 27. "Sell" includes TO offer for sale, TO expose for sale, ~~OR~~ TO
9 have in possession for sale, exchange, barter or trade.

10 28. "Size" means classified as to weight.

11 29. "Standard" means the quality specifications for a single egg.

12 30. "Subcontainer" means a container that is used within another
13 container.

14 31. "Supervisor" means the supervisor of egg inspection or the
15 supervisor's authorized representative.

APPROVED BY THE GOVERNOR APRIL 11, 2018

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 11, 2018

Passed the House February 20, 20 18

by the following vote: 47 Ayes,

12 Nays, 1 Not Voting

W. R. Boyce
Speaker of the House

☒ Pro Tempore

Jim Drake
Chief Clerk of the House

Passed the Senate March 26, 20 18

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting

Sam B. Young
President of the Senate

Susan Owens
Secretary of the Senate

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR**

This Bill received by the Governor this

_____ day of _____, 20 _____

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

at _____ o'clock _____ M.

Governor of Arizona

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE**

This Bill received by the Secretary of State

this _____ day of _____, 20 _____

at _____ o'clock _____ M.

Secretary of State

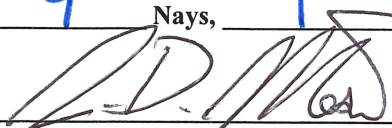
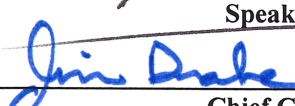
H.B. 2464

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

April 5, 20 18,

by the following vote: 50 Ayes,

9 Nays, 1 Not Voting

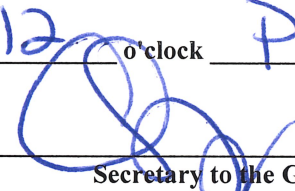

Speaker of the House

Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

5th day of April, 20 18,

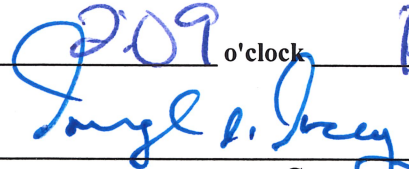
at 3:12 o'clock P. M.


Secretary to the Governor

Approved this 11th day of

April, 20 18,

at 2:09 o'clock P. M.


Governor of Arizona

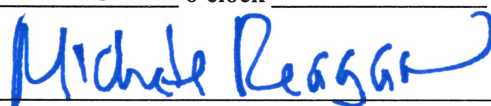
H.B. 2464

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 11 day of April, 20 18,

at 4:50 o'clock P. M.


Secretary of State